

October - December 2022

HUMAN RIGHTS QUARTERLY BRIEF ON THE CENTRAL AFRICAN REPUBLIC

HIGHLIGHTS

- In Q4, the HRD documented 483 human rights violations and abuses, affecting 1,300 civilians; a 9% increase in victims compared to Q3.
- State actors were responsible for committing the most human rights violations (58%) affecting the most victims (70%).
- The most recurrent violations were related to arbitrary detention and inhuman conditions of detention (28%), violations of the right to physical and mental integrity (25%), and violations of the right to property (9%).
- At least 122 civilians, including 109 men, six women, five girls, and two boys were killed; the majority of killings were perpetrated by armed groups.
- The Ouham-Pendé was the most affected prefecture in terms of human rights violations and abuses (69), while Ombella M'Poko had the most victims (250).

CONTEXT

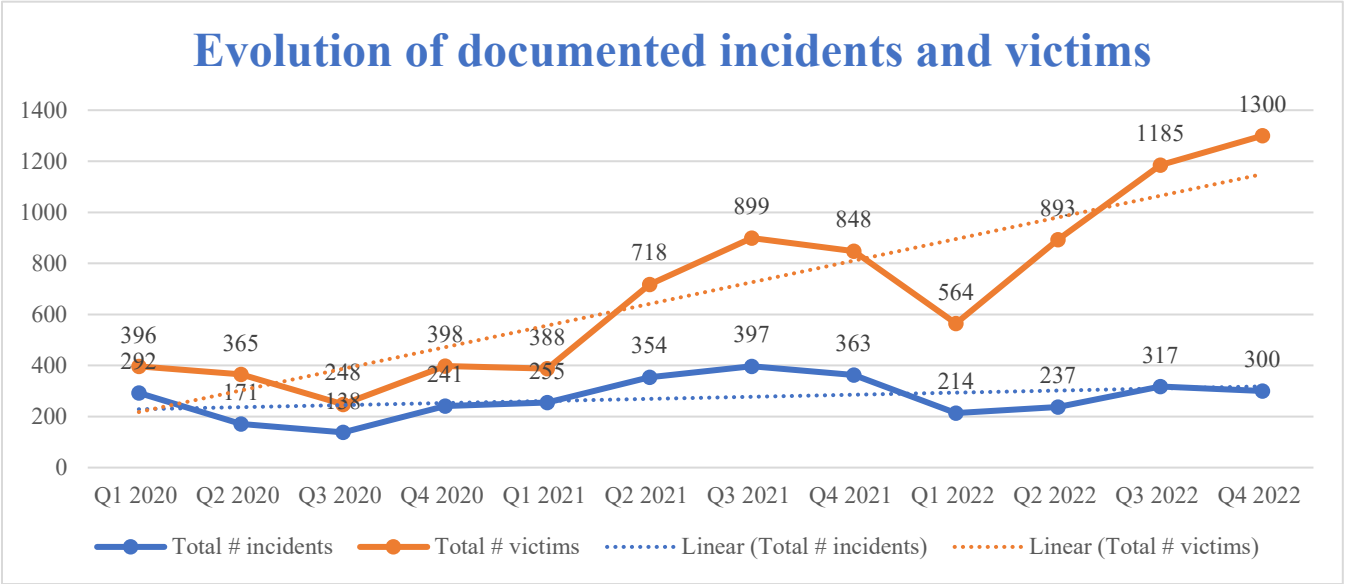
During the period under review, the security situation across the Central African Republic (CAR) remained tense. There were notable conflict hotspots across axes and localities linked to mining sites in the **Western, Central and Eastern sectors**, where armed groups signatories of the *Accord Politique pour la Paix et la Réconciliation en République Centrafricaine* (APPR-RCA), such as the *Unité pour la Paix en Centrafrique* (UPC), *Front Populaire pour la Renaissance de la Centrafrique* (FPRC), and *Retour,*

Réclamation et Réhabilitation (3R), attacked and robbed artisanal miners as well as other civilians, leading to clashes with State forces. The MINUSCA Human Rights Division (HRD) documented a significant rise in instances of arbitrary arrest, detention, and inhuman conditions of detention. While some cases concern individuals held in pre-trial detention, many of the cases documented by the HRD relate to cordon and search operations by *Forces Armées Centrafricaines* (FACA) and the internal security

forces (ISF), in which State actors arbitrarily detained civilians as a means to extort payment from them to be released. The advent of the dry season has led to increased armed groups movements and activities throughout CAR, leading FACA, ISF and *Other Security Personnel* (OSP) elements to establish additional checkpoints and controls. In this regard, members of the Fulani and Muslim communities reported discriminatory treatment during such checks as authorities suspect them of colluding with armed groups. In the **Eastern Sector**, clashes between State forces and armed groups continued to displace civilians, notably in Ouadda (Haute-Kotto). Armed men affiliated to several armed groups continued to gather in anticipation of a potential attack on villages in Vakaga prefecture. The security incidents throughout CAR caused widespread fear among the civilian population in the fourth quarter of 2022 (Q4), leading to the displacement of civilians

in the prefectures of **Haute-Kotto, Vakaga, and Ouham-Pendé**.

In the political realm, the *Autorité Nationale des Elections* (ANE) (National Elections Authority) decided to postpone the first round of local and regional elections from 22 January to 16 July 2023. On 24 October, President Touadéra signed decrees removing Judge President Darlan and Magistrate Judge Bango Sangafio from the Constitutional Court. On 18 November, President Touadéra signed a decree endorsing the election of constitutional judges Jean-Pierre Waboé and Sylvie-Pauline Yawet-Kengueleoua, as members of the Bureau of the Constitutional Court. Finally, the Special Criminal Court (SCC) issued a judgment on 31 October in which it upheld a conviction of three 3R combatants for crimes against humanity and war crimes. On 28 December, the mandate of the SCC was renewed for a period of five years by the National Assembly.



GENERAL TRENDS

During the fourth quarter of 2022, the HRD documented a continuing overall increase in the number of human rights violations and abuses.

Between October and December 2022, the HRD verified 300 incidents, representing **483** human rights violations and abuses and breaches of international

humanitarian law (IHL) that affected **1,300** civilian victims.¹ This represents a **5.6%** decrease in the number of human rights incidents, and a **9%** increase in the number of victims as compared with the third quarter of 2022. Unlike the previous quarter, State actors were responsible for most of the human rights violations and abuses. They were also responsible for the most victims. This change can largely be attributed to the marked increase in arbitrary arrests, detention,

and unlawful conditions of detention documented throughout the fourth quarter. Indiscriminate attacks against civilians by armed groups and State actors continued to take place, as well as the use of proxies by State actors, and the targeting of Fulani and Muslim communities, posing a threat to the protection of civilians and their enjoyment of human rights.

VIOLATIONS

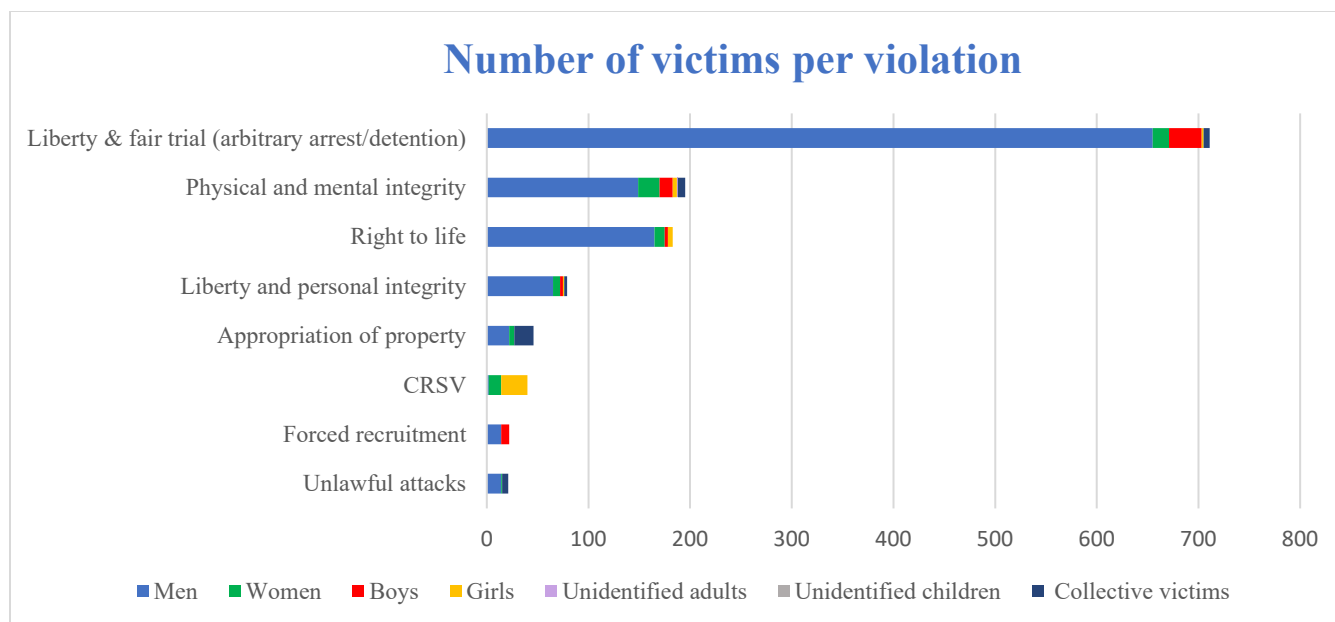
During the period under review, most human rights cases were related to the violations of rights related to detention, such as arbitrary detention and inhuman conditions of detention (134), violations of the right to physical and mental integrity (114), and violations of the right to property (83). The HRD documented 67 violations of the **right to life**. Of these, armed groups signatories to the APPR-RCA were responsible for the majority of killings (51%) while State actors were responsible for half of the violations of the right to life other than killing (50%). In total, clashes between armed groups and State actors, as well as targeted and indiscriminate attacks resulted in the **killing** of 122 civilians, including 109 men, six women, five girls, and two boys.

Cases of **arbitrary arrest and detention** made up 28% of the total number of human rights violations.

Most of them were cases in which a detainee was held beyond the legal custody time limit and/or suffered inhuman and degrading conditions of detention. During the reporting period, 711 individuals were affected by violations of the right to liberty and fair trial, all by State actors.² Violations of the **right to physical and mental integrity** made up 25% of the documented cases of human rights violations and abuses. State actors were responsible for 58% of such violations, while armed groups signatories to the APPR-RCA were responsible for 35%. Torture and ill-treatment (78 violations) were the most common type of violations in this category, followed by maiming and injuries (22 violations). A total of 195 victims were affected by this type of violation (149 men, 21 women, 13 boys, four girls, one unknown minor, and seven groups of collective victims). Out of these, 118 suffered other violations during the same incident.

¹ Since January 2022, in accordance with OHCHR methodology, the HRD records all the human rights violations that occurred during a single incident and against different victims. Since July 2022, the Division also counts all the violations per victim (multiple violations). Additionally, since June 2022, the HRD systematically reports on cases of arbitrary detention by State authorities that exceed the legal custody time limit, as well as unlawful conditions of detention.

² For armed groups, the HRD records such violations as deprivation of liberty and abductions which are breaches of international humanitarian law.



There were at least 27 cases of **conflict-related sexual violence (CRSV)** affecting 40 people, including 12 women, 26 girls, and two men. These violations included rape (22 violations), attempted rape (one violation), sexual slavery (three violations), and forced nudity (one violation). State actors were responsible for 48% of CRSV cases, while armed groups signatories to the APPR-RCA were responsible for 33%. It is worth noting that CRSV cases, including those suffered by men and boys, tend to be underreported. Violations of the **right to property** represented 9% of the human rights violations and abuses documented during the reporting period. Armed groups signatories of the APPR-RCA were responsible for 51% of these violations. The destruction or appropriation of property was often committed alongside other

violations such as ill-treatment, deprivation of liberty, and arbitrary arrest and detention. Violence against civilians followed by theft, extortion, and pillaging has become a *modus operandi* of armed groups, particularly by UPC and 3R combatants. Appropriation of property was the violation most often committed alongside another violation: Fifty-three out of the 88 documented cases of appropriation of property were committed using some sort of violence, with armed groups responsible for 31 of those cases. Only 29 victims suffered from just a violation of the right to property. However, when all violations are taken together, 172 victims suffered from violations to the right to property either alone or in concert with other violations, including 129 men, 18 women, six boys, six girls, and 13 groups of collective victims.³

³ The figure of 172 is not included in the total number of victims documented in the fourth quarter of 2022, it is however important to recognize that victims suffer multiple and overlapping violations.

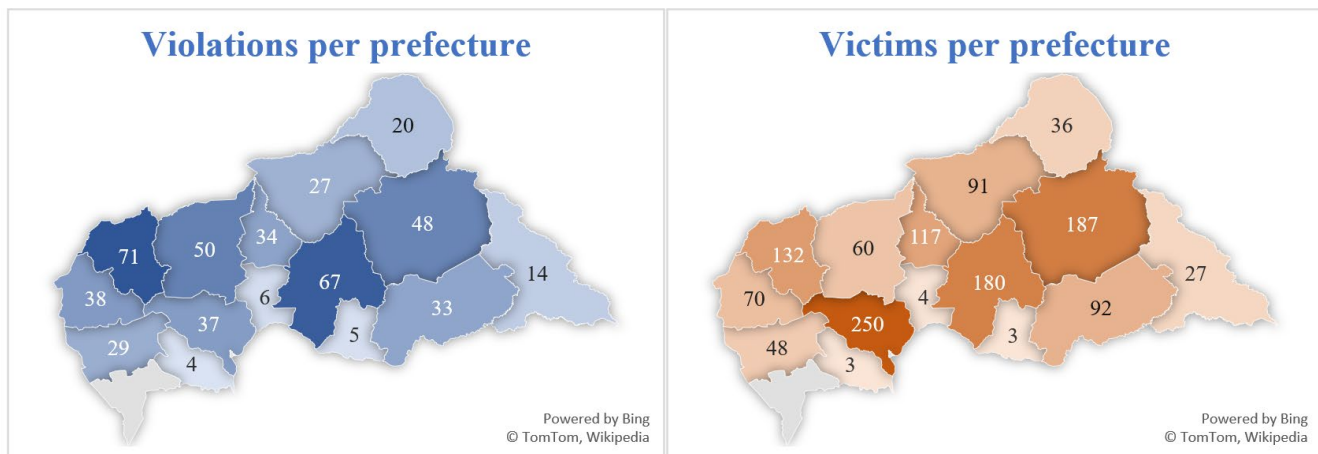
GEOGRAPHIC TRENDS

The **Western Sector** was the sector where the most human rights violations and abuses and victims were documented in the fourth quarter of 2022 (229 violations affecting 563 victims) due to incidents of violence committed by 3R combatants, much like the previous quarter where the most violations and abuses were registered (218). In contrast to the third quarter, however, the number of victims in the **Western Sector** sharply increased by 27%.

The **Central Sector** also registered a high level of violence during this period (139 violations affecting 395 victims), a sharp increase of 220% in the number of victims documented compared to the third quarter. The increase can be partially attributed to the increase in arbitrary detentions documented in the sector.

Meanwhile, the **Eastern Sector** (115 violations affecting 342 victims) saw a large downward change in the number of violations and victims documented: a 38% decrease in violations and a 44% decrease in victims. The decline in violations and victims is due in part to the increased presence of State forces in Haute-Kotto and Vakaga prefectures in the second half of 2022.

The **Ouham-Pendé** was the most affected prefecture in terms of human rights violations and abuses (71) whereas Ombella M'Poko registered the most victims (250). The high number of victims in this prefecture can be attributed to the cases of arbitrary detention documented, especially in October. In Ouham-Pendé, while some of the violations and abuses documented there can be attributed, in part, to the completion of an investigation carried out by the HRD in Cameroon with Central African refugees concerning violations from 2021, there were a number of serious human rights violations and abuses in the Western Sector of the country due to armed clashes by armed groups seeking control of mining sites. For example, between 22 and 27 December, armed combatants affiliated with the 3R armed group attacked two mining sites, committing acts of abduction, ill-treatment, and appropriation of goods against 63 civilians (gender unknown). Instances of violence have also been committed by armed combatants against civilians of the Fulani and Muslim communities suspected of collaborating with other armed groups and/or State forces, while violence against transhumance communities has increased due to the beginning of the dry season. Ouaka was



the second most affected prefecture in the fourth quarter of 2022, registering 67 violations and abuses affecting 180 victims. The high victim count reflects the 122 victims (116 men, four boys, and four groups of collective victims) of arbitrary detention and inhuman conditions of detention documented

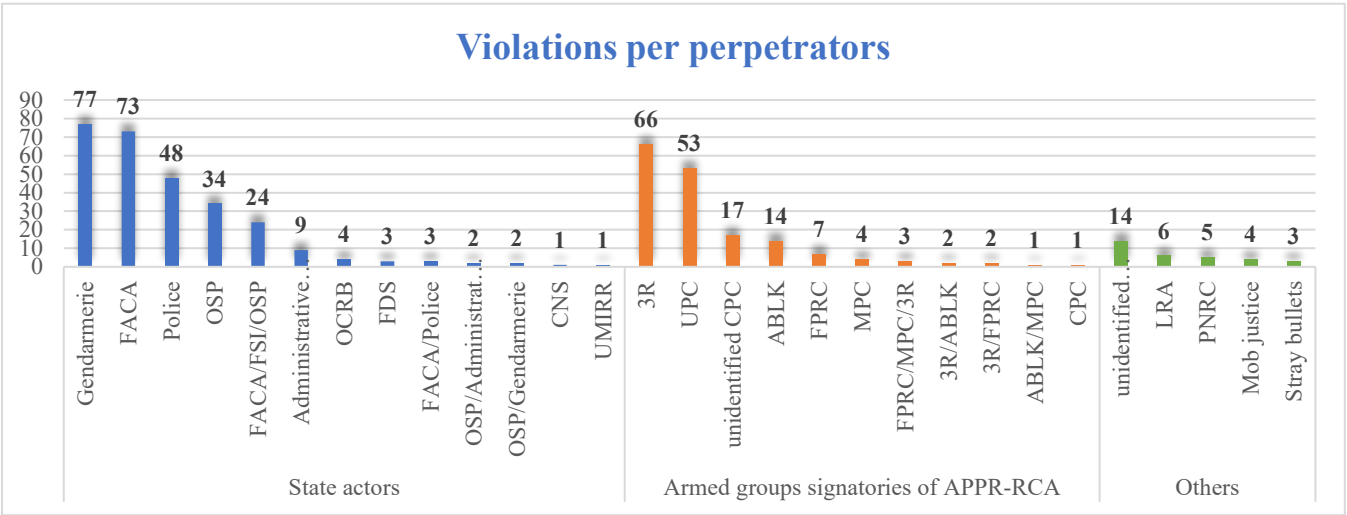
throughout Ouaka. There were other serious violations of human rights as well such as, on 16 December, when combatants from the UPC attacked, abducted, and tortured a group of collective civilians estimated to about 14 individuals just outside of Bokolobo.

PERPETRATORS

During the fourth quarter of 2022, State actors committed the majority of the human rights violations and abuses. State actors perpetrated 58% of the total number of violations (281), while the armed groups signatories to the APPR-RCA were responsible for 35% of the abuses (170). State actors also were responsible for 70% of the documented victims (911), whereas armed groups were only responsible for 28% (338). The HRD also documented 32 abuses committed by other actors, including armed combatants that do not belong to signatories to the

APPR-RCA, as well as mob justice cases related to accusations of witchcraft.

The most common types of violations and abuses committed by armed groups signatories to the APPR-RCA were destruction and appropriation of property (47), killings and other violations of the right to life (32), abduction and deprivation of liberty (32), and ill-treatment and maiming (37). Among armed groups, the **3R** (66 abuses and 145 victims) in the West and the **UPC** (53 abuses and 66 victims) in the East were the chief perpetrators in terms of human rights abuses and victims.

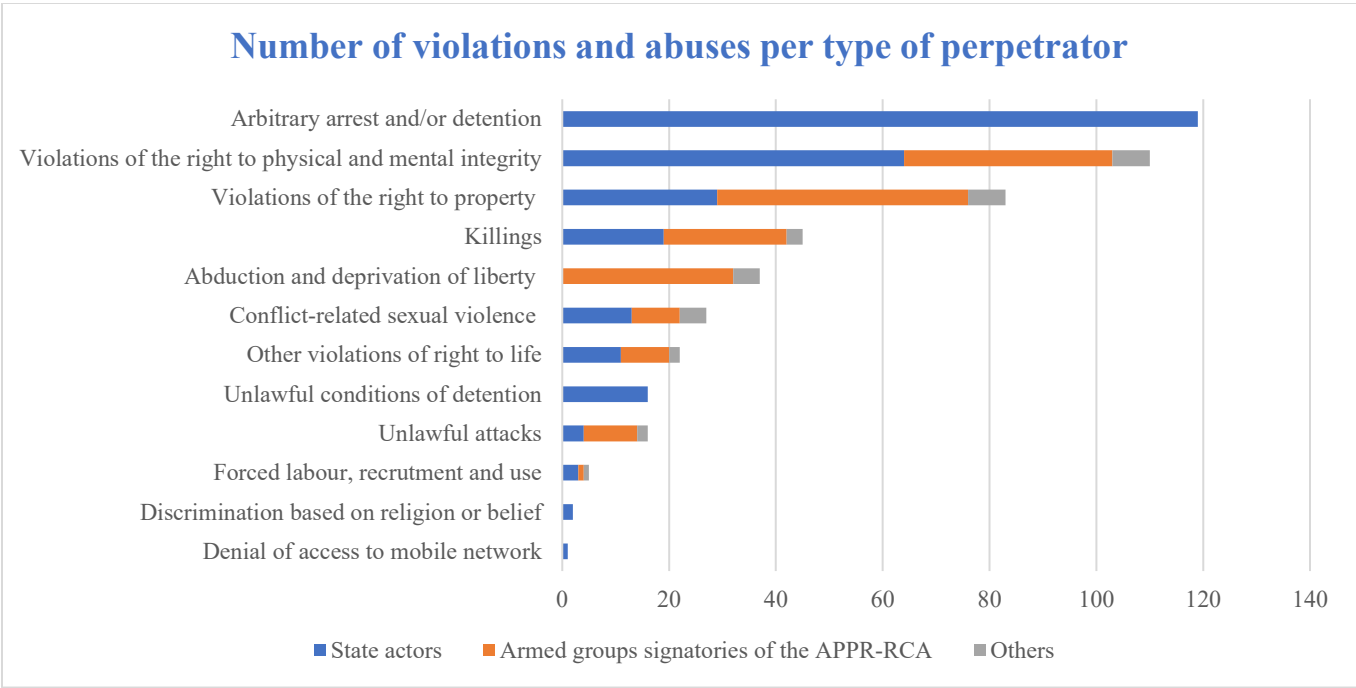


Some of the **emblematic cases** committed by the armed groups signatories to the APPR-RCA include: an attack against 50 civilians (39 men, four women, four boys and three girls) by 15 combatants of the

Coalition des patriotes pour le changement (CPC) in which the combatants took the civilians' property around 40km from Ndélé, Bamingui-Bangoran prefecture, on 13 October; an attack against civilian miners in

the Gbafou mining site by 3R combatants in Nana-Mambéré prefecture in which the combatants killed two men, injured another, and robbed the mining site on 21 November; and an ambush of a group of 15 civilians (13 men, one woman, and one baby) by

35 armed UPC combatants in which the civilians were robbed, five were killed, six were injured, and the woman was reportedly gang raped by six combatants on 1 December.



The most recurrent violations committed by State actors were arbitrary arrest and/or detention and inhuman conditions of detention (119), torture, ill-treatment, and maiming (64), and killings and other violations of the right to life (30). Among State actors, the **Gendarmerie** alone committed the most human rights violations and affected the most victims due to cases of arbitrary arrest and/or detention, including those that exceeded the legal custody time limit (77 violations affecting 345 victims). On the other hand, the **FACA** committed 73 violations affecting 69 victims. The **Police** (48 violations and 214 victims) also affected a large number of victims due to cases of arbitrary arrest and/or detention as well. **OSP** alone committed 34 human rights violations, affecting 69 victims, although most of the cases occurred outside the reporting period. However, FACA, FSI and OSP acting jointly were responsible for 24 human rights

violations affecting a total of 132 victims. As in the first half of 2022, the use of anti-Balaka proxies by State actors, chiefly by FACA and OSP, continues, which may explain the reduction in the number of violent incidents directly committed by OSP during the fourth quarter.

Some of the **emblematic cases** committed by State actors include: violations perpetrated during a cordon operation by FACA/ISF elements in which they arbitrarily arrested, detained, and extorted a group of collective victims (estimated to be roughly 64 adults) in Bria, Haute-Kotto prefecture, on 28 October; the arbitrary arrest, detention and torture of an 18-year-old Fulani man, who reportedly suffered from mental health disorders, by OSP and FACA elements on 24 November; and the rape of a 13-year-old girl by a member of the Gendarmerie in Ippy, Ouaka prefecture on 21 December.

VICTIMS

According to the HRD's findings, **1,300** civilians suffered human rights violations and abuses at the hands of armed groups and State actors. Out of these victims **401** suffered multiple violations.

Men continued to account for most victims (1,087), followed by **women** (72), **boys** (59) and **girls** (38). In addition, there was one **child victim** for whom the gender was not indicated and 43 groups of **collective victims**.

In most cases, men were victims of arbitrary arrest and/or detention (572), ill-treatment (111), and extrajudicial execution or other killing (109). Women were primarily victims of ill-treatment (15), CRSV (12), and extrajudicial execution or other killing (six). Boys suffered primarily from arbitrary arrest and/or detention (21) and forced recruitment and use (eight), while 26 girls were subject to CRSV, including rape (13) and sexual slavery (13).

